

Application Number 	Application/Control No. 10/765,341	Applicant(s)/Patent under Reexamination MICHELSON, GARY KARLIN
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TERMINAL DISCLAIMER	<input checked="" type="checkbox"/> APPROVED	<input type="checkbox"/> DISAPPROVED
Date Filed : 04/28/05	This patent is subject to a Terminal Disclaimer	

Approved/Disapproved by:

JH

PATENT
Attorney Docket No. 101.0036-02000
Customer No. 22882

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:) Confirmation No.: 1065
Gary Karlin Michelson)
Serial No.: 10/765,341) Group Art Unit: 3731
Filed: January 27, 2004) Examiner: Michael Thaler
For: SURGICAL RONGEUR HAVING A)
REMOVABLE STORAGE MEMBER)
(as amended))

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

TERMINAL DISCLAIMER

Petitioner ("inventor/owner") Gary Karlin Michelson, residing at 438 Sherman Canal, Venice, California 90291, represents that he is the only inventor/owner of the entire right, title and interest in and to the above-identified application, Serial No. 10/765,341 filed January 27, 2004 for SURGICAL RONGEUR HAVING A REMOVABLE STORAGE MEMBER and is the only inventor/owner of the entire right, title and interest in and to:

U.S. Application Serial No. 08/260,072, filed June 15, 1994 (now U.S. Patent No. 5,451,227), for THIN FOOT PLATE MULTI-BITE RONGEUR, as set forth in the Assignments recorded at Reel/Frame 5988/0552 and Reel/Frame 7420/0245, and the corrective document recorded at Reel/Frame 013011/0135;

U.S. Application Serial No. 08/108,908, filed August 18, 1993 (now U.S. Patent No. 6,200,320), for SURGICAL RONGEUR, as set forth in the Assignments recorded on Reel/Frame 6670/0363 and Reel/Frame 7420/0245;

U.S. Application Serial No. 09/790,008 filed February 21, 2001 (now U.S. Patent No. 6,695,849), for SURGICAL RONGEUR, as set forth in the Assignments recorded on Reel/Frame 6670/0363 and Reel/Frame 7420/0245;

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PAGE 19/33 * RCVD AT 4/28/2005 4:59:21 PM (Eastern Daylight Time) * SVR:USPTO-EXRF-1/2 * DNIS:8729306 * CSID:3308772030 * DURATION (mm:ss):08:42

U.S. Application Serial No. 08/337,107, filed November 10, 1994 (now U.S. Patent No. 5,653,713), for SURGICAL RONGEUR, as set forth in the corrective document recorded at Reel/Frame 013011/0139; and

U.S. Application Serial No. 08/905,360, filed August 4, 1997 (now U.S. Patent No. 6,142,997), for SURGICAL RONGEUR, as set forth in the corrective document recorded at Reel/Frame 013011/0139.

To obviate a double patenting rejection, Gary Karlin Michelson hereby disclaims, under the provisions of 37 C.F.R. § 1.321, the terminal part of any patent granted on the above-identified application, Serial No. 10/765,341, which would extend beyond the expiration date of any one of U.S. Patent Nos. 5,451,227; 6,200,320; 6,695,849; 5,653,713; and 6,142,997 and hereby agrees that any patent so granted on the above-identified application Serial No. 10/765,341 shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to U.S. Patent Nos. 5,451,227; 6,200,320; 6,695,849; 5,653,713; and 6,142,997, this agreement to run with any patent granted on the above-identified application and to be binding upon the grantee, its successors or assigns.

In making the above disclaimer, Petitioner does not disclaim the terminal part of any patent granted on U.S. Application Serial No. 10/765,341 that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. §§ 154 to 156 and 173 of any one of U.S. Patent Nos. 5,451,227; 6,200,320; 6,695,849; 5,653,713; and 6,142,997, as presently shortened by any terminal disclaimer, in the event that any one of U.S. Patent Nos. 5,451,227; 6,200,320; 6,695,849; 5,653,713; and 6,142,997: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or in part, is terminally disclaimed under 37 C.F.R. § 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term, as presently shortened by any terminal disclaimer.

In accordance with the fee schedule set forth in 37 C.F.R. § 1.20(d), the required fee of \$65.00 is to be charged to Deposit Account No. 50-1066.

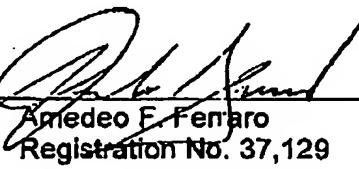
If there are any additional fees due in connection with the filing of this reply, please charge the fees to our Deposit Account No. 50-1066. If a fee is required for an

extension of time under 37 C.F.R. § 1.136 not accounted for above, such an extension is requested and the fee should also be charged to our Deposit Account.

The undersigned is authorized to act on behalf of Petitioner Gary Karlin Michelson.

Respectfully submitted,

MARTIN & FERRARC, LLP

By: 

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Attorney for Applicant

Dated: April 28, 2005

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